

**JUDICIAL REVIEW
OF CASES**

Federal regulations require judicial review of title IV-E funded adoption support subsidy cases every 12 months to determine that reasonable efforts are being made to finalize the permanency plan. DHS policy requires all adoption supervision cases (title IV-E funded and non-title IV-E funded) that are not finalized within 12 months of adoptive placement be reviewed by the court.

**Adoption
Placements Not
Finalized - 12 or
More Months**

DHS sends a report to the child placing agency (CY-460, Adoption Cases for Hearings on Reasonable Efforts - DHS supervised Cases, or CY-463, Adoption Cases for Hearings on Reasonable Efforts - POS Supervised Cases) approximately 10 months after adoptive placement, if the adoption has not been finalized. The child placing agency must petition the court in which the original adoption petition was filed and request a motion for a hearing on the permanency plan. The hearing must be held within 12 months of the adoptive placement date.

Following the hearing, the court will either:

- Finalize the adoption and issue PCA 321, Order of Adoption; or
- Not finalize the adoption and issue PCA 351, Order Following Hearing On Review of Adoptive Placement (IV-E Eligibility Compliance).

The child placing agency must send a copy of PCA 321, Order of Adoption, or PCA 351, Order Following Hearing On Review of Adoptive Placement (IV-E Eligibility Compliance), as documentation of the judicial review and determination to:

Department of Human Services
Adoption Subsidy Office
P.O. Box 30037, Suite 413
Lansing, MI 48909

Private contracted child placing agencies must also send a copy of PCA 321, Order of Adoption, or PCA 351, Order Following Hearing On Review of Adoptive Placement (IV-E Eligibility Compliance), to the local DHS office monitoring the child's case.

**Adoptive
Placements Not
Finalized - 24 or
More Months**

Adoptive placements that are not finalized and continue in adoption supervision status (legal status 43) require a judicial determination of reasonable efforts to finalize the permanency plan every 12 months.

DHS has an automated system to send notification of the above cases to the child placing agency at intervals of 22 months, 34 months, etc. When notification is received, the child placing agency must:

- Petition the court and request a motion for a hearing on the permanency plan; and
- Follow up with appropriate notification to the Adoption Subsidy Office and the monitoring DHS local office.